

**NEWPORT BEACH ZONING ADMINISTRATOR MINUTES**  
**Council Chambers – 3300 Newport Boulevard**  
**Thursday, January 24, 2013**  
**REGULAR HEARING**  
**3:30 p.m.**

**A. CALL TO ORDER** – The meeting was called to order at 3:30 p.m.

Staff Present: Brenda Wisneski, Zoning Administrator  
Jason Van Patten, Planning Technician  
Javier S. Garcia, AICP, Senior Planner

**B. MINUTES** of January 10, 2013

**Action:** Approved

**C. PUBLIC HEARING ITEMS**

**ITEM NO. 1** 819 West Balboa Boulevard Parcel Map No. NP2012-010 (PA2012-170)  
819 West Balboa Boulevard CD 1

Jason Van Patten, Planning Technician, provided a brief description of the project stating that an existing single family residence was to be demolished and would be replaced with a proposed two-unit condominium project. Mr. Van Patten added that the application for a parcel map would allow each unit to be sold individually and that the applicant had not requested a waiver of Title 19 Subdivision standards. He further noted that plans for the two-unit condominium project were in plan check and that the applicant was subject to in-lieu housing fees, park dedication fees and fair share fees.

Mike Schmidt, applicant, introduced himself. He stated that he had read the resolution and the required conditions.

The Zoning Administrator opened the public hearing.

One member of the public, Jim Mosher, spoke and stated that he was unclear as to the justification of the required fees specified by Conditions No. 6, 7, and 8. He further had questions and comments regarding the language of the CEQA exemption, Coastal Commission review, and clarity of Conditions No. 5 and No. 10.

In response to Mr. Mosher, Zoning Administrator Wisneski stated that additional fees were assessed based on the increase in number of units.

Seeing that no one else from the public wished to comment, the public hearing was closed.

Zoning Administrator Wisneski noted that the resolution would be revised to clarify the CEQA reference as raised by Mr. Mosher, and approved the resolution as amended for Parcel Map No. NP2012-010.

**Action:** Approved

**ITEM NO. 2** Newport North Center Monument Signs Modification Permit No. MD2012-016 (PA2012-168)  
1200 Bison Avenue CD 4

Javier Garcia, Senior Planner, provided a brief project description and noted minor corrections to the staff report and the resolution. He briefly described the project site and the proposal to increase the height of the existing monument on MacArthur Boulevard by one foot and a new monument sign to be located at the corner of Bison Avenue and Camelback Street. Mr. Garcia described prior history regarding right-of-way changes that occurred with regard to the MacArthur Boulevard property line which may have affected the location of the existing monument sign. Mr. Garcia also stated he was contacted by Mr. Bob McCaffrey expressing his concern with the illumination of the

monument signs affecting the residential living areas. Mr. McCaffrey's property at 40 Hillsdale Drive, Belcourt Terrace, indirectly overlooks the subject property. To address this concern, Mr. Garcia distributed an additional condition of approval requiring the limiting the illumination of the new monument sign between 10:00 p.m. and 8:00 a.m.

The Zoning Administrator opened the public hearing.

Nancy Mallar, President of the Belcourt Terrace Homeowners Association (a sub-association of North Ford), noted residents within her community expressed concerns with the visibility of the new sign as viewed from the Belcourt Terrace community. She expressed that the existing sign is bright and that other freestanding signs on Bison Avenue are not illuminated.

Jim Mosher, resident, expressed his appreciation that the proposed and existing monument signs include the project address. He felt that the proposed sign was similar to the freestanding signage at the Westcliff Plaza Shopping Center which is an eyesore. He stated that the Planned Community text was last amended on February 26, 2008 and that the PC text should be amended to address the proposed signage. He opined that the PC text allows a 20-foot tall multi-tenant sign and questioned whether the proposed signs achieve reasonable identification of the center. He contends that a sign further west of the center would be a better solution to give motorists earlier notice of the center. He also suggested relocating or constructing a subterranean vault for an existing traffic signal box located at the corner of Bison Avenue and Camelback Street. He also commented on typographical errors in the staff report and the resolution.

Seeing that no one else from the public wished to comment, the Zoning Administrator closed the public hearing.

Mr. Garcia addressed the type of sign that Mr. Mosher questioned. Mr. Garcia described the two types of signs listed in the Planned Community District regulations which are project identification and multi-tenant directory signs. The proposed signs are a hybrid of the two types, and not a multi-tenant directory sign, since not all tenants are identified. Staff also expressed current trending of signs and tenant mix of multi-tenant buildings.

The Zoning Administrator raised questions related to the exact location of the MacArthur Boulevard sign and requested that a condition be included requiring the survey be submitted confirming the location of the existing sign. The applicant concurred with that requirement. The Zoning Administrator expressed that there was a need for the second sign located at the intersection of Bison Avenue and Camelback Street for motorists traveling eastbound. The Zoning Administrator stated, and applicant agreed, that the sign program require the new sign be a minimum of eight feet from the property line, and not allow for discretion by the Public Works Department. Concerns with regard to lighting were discussed. The Zoning Administrator stated that the proposed sign design and materials were consistent with other Irvine Company signs, and that is was important to maintain that consistency. To address the concerns of the Belcourt residents, in addition to the fact that the businesses on the center are closed after 10:00 p.m., the Zoning Administrator supported including the condition added by staff. However, to accommodate business hours, she modified the condition to require the lights to be shut off between the hours of 10:00 p.m. and 6:00 a.m., daily. The discussion and comments were incorporated into the resolution for approval.

Zoning Administrator Wisneski noted that the clarification and changes discussed would be provided with regard to comments raised by Mr. Mosher, the concerns of the neighbors, with concurrence of the applicant, and adopted the resolution as amended for Modification Permit MD2012-016.

**Action:** Approved as amended

#### **D. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

None.

#### **ADJOURNMENT**

The hearing was adjourned at 4:10 p.m.

**The agenda for the Regular Hearing was posted on January 18, 2013, at 2:35 p.m. on the City Hall Bulletin Board located outside of the City of Newport Beach Administration Building and on the City's website on January 18, 2013, at 2:55 p.m.**

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Brenda Wisneski, AICP, Zoning Administrator

DRAFT

ADDITIONAL  
MATERIALS  
RECEIVED

## Comments on Feb. 14, 2013 Zoning Administrator Agenda

Submitted by: Jim Mosher ( [jimmosher@yahoo.com](mailto:jimmosher@yahoo.com) ), 2210 Private Road, Newport Beach 92660 (949-548-6229)

### → **Item B. Minutes for the January 24, 2013 Regular Hearing**

On page 2:

line 3: "...an additional condition of approval requiring ~~the~~ limiting the illumination of the new monument sign ..."

line 5: following "The Zoning Administrator opened the public hearing."

Although the draft minutes identify the members of the public who spoke, they fail to make clear that the applicant for Item No. 2 was The Irvine Company and that Shawna Schaffner of CAA Planning Consultants (?) was present representing them.

I believe that prior to Ms. Mallar speaking, the Zoning Administrator asked Ms. Schaffner if she wanted to say anything on behalf of the applicant, but she declined. However she *did* speak later, and without identification of her as the spokesperson, statements such as "...and applicant agreed, ..." and "...with concurrence of the applicant, ..." lack clarity.

### ~~**Item C.1. Island Hotel Sign Program (PA2012-174)**~~

Under "Subject" in the title block of the staff report: "Permit No. MD~~2011~~2012-018"

In the draft resolution:

In the heading material: "~~THE~~ PLANNING COMMISSION ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS..."

Section 1.2: "~~The applicant requests a Modification Permit to amend the Comprehensive Sign Program to allow the renovation of six existing wall signs to exceed the maximum height and area permitted by the Zoning Code for a comprehensive sign program (more than a 20% increase in height and 30% increase in area). Each sign proposes a total combined area of 545-square-feet including the added logo upon the Newport Center Drive and Santa Cruz Drive building elevations.~~"

I find less than clear the description of what is allowed by the current Comprehensive Sign Program, what is wrong with that, and what is proposed. Is the language intended to suggest the proposed signs are larger than the Zoning Code allows even with a Sign Program? and is this a proposal to *amend* the existing Sign Program, or to seek a deviation from it?

Section 1.5: "... and considered by, the ~~Planning Commission~~ Zoning Administrator at this meeting."